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TO: Commissioner of Patents  
 FAX NO.: 703-872-9306  
 FROM: Steve M. Hertzberg  
 DATE: January 20, 2004  
 MATTER: Serial No 09/458,896 Filed: December 10, 1999  
 DOCKET NO.: DIVA/038  
 APPLICANT: Bertram, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Transmittal Letter (2 copies)-
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
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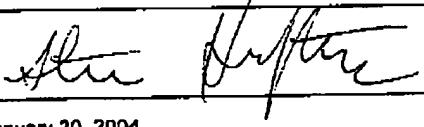
**TRANSMITTAL  
FORM***(to be used for all correspondence after initial filing)*Total Number of Pages in This Submission **18**

Application Number	09/458,696
Filing Date	December 10, 1999
First Named Inventor	Bertram, et al.
Group Art Unit	2665
Examiner Name	Molinari, Michael J.
Attorney Docket Number	DIVA/038

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Certificate of Facsimile Transmission</b>
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Steve M. Hertzberg, Reg. No. 41,834
Signature	
Date	January 20, 2004

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION

OFFICIAL

Applicant(s): Bertram et al.  
Case: DIVA/038  
Serial No.: 09/458,896 Filed: December 10, 1999  
Group Art Unit: 2665  
Examiner: Molinari, Michael J.  
Title: METHOD AND APPARATUS FOR INJECTING INFORMATION  
ASSETS INTO A CONTENT STREAM

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

## RESPONSE UNDER 37 C.F.R. §1.111

In response to the non-final Office Action mailed October 27, 2003, (Paper No. 18), please amend the above-identified application as follows.